

PROB 12B  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Moshe Lavid

Cr.: 04-456-01

Name of Sentencing Judicial Officer: Harold A. Ackerman  
Senior United States District Judge

Date of Original Sentence: 11/9/05

Original Offense: Mail Fraud/Tax Evasion

Original Sentence: Probation - 5 years; Fine - \$20,000; Special Assessment - \$200; Special Conditions include Home Confinement with Electronic Monitoring (12 months); Financial Disclosure; Occupational Restrictions

Type of Supervision: Probation

Date Supervision Commenced: 11/9/05

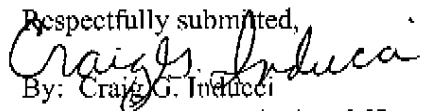
**PETITIONING THE COURT**

- ☐ To extend the term of supervision for \_\_\_\_\_ Years, for a total term of \_\_\_\_\_ Years.  
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant is to be confined to his residence for a period of 12 months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall not be required to wear an electronic monitoring device due to a medical (Cardiac-care) condition, and shall follow home confinement procedures, non-electronically, as directed by the U.S. Probation Office. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires.

**CAUSE**

Offender suffers from hypertrophic cardiomyopathy and has an implantable defibrillator in his chest, which according to medical professionals, may be interfered with by the radio controlled (RF) electronic monitoring device under home confinement. On February 8, 2006, we spoke with AUSA Donna Galluccio, who advised that the United States has no objection to this modification as proposed.

Respectfully submitted,  
  
By: Craig G. Inducci  
Senior U.S. Probation Officer  
Date: 2/14/06

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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above  
☐ The Extension of Supervision as Noted Above  
☐ No Action  
☐ Other

*Harold A. Ackerman*

Signature of Judicial Officer

*2/21/05*

Date

PROB 49  
(3/89)

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant is to be confined to his residence for a period of 12 months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall not be required to wear an electronic monitoring device due to medical (Cardiac-care) condition and follow home confinement procedures, non-electronically, as directed by the U.S. Probation Office. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires.

Witness: Craig G. Inducci  
Senior U.S. Probation Officer  
Craig G. Inducci

Signed: Moshe Lavid  
Probationer or Supervised Releasee  
Moshe Lavid

2/10/06

DATE